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# Committee on the Exercise of the Inalienable Rights of the Palestinian People

**Summary record of the 272nd meeting**
Held at Headquarters, New York, on Thursday, 19 June 2003, at 10.30 a.m.

*Chairman*: Mr. Fall ..... (Senegal)

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*The meeting was called to order at 10.45 a.m.*

**Adoption of the agenda**

1. *The agenda was adopted.*

**Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including Jerusalem**

2. **The Chairman** said that there had been major developments since the previous meeting of the Committee. The first meetings had taken place between Palestinian Prime Minister Mahmoud Abbas and Israeli Prime Minister Ariel Sharon, the Government of Israel had formally accepted the road map proposed by the Quartet, and summits had been held in Sharm el-Sheikh (3 June 2003) and Aqaba (4 June 2003).

3. **Mr. Al-Kidwa** (Observer for Palestine) said that, notwithstanding the developments which the Chairman had enumerated, the situation in the Middle East remained unclear and full of contradictions. The formal presentation of the road map had been greeted with great enthusiasm and positive expectations, but the Palestinian side had been disheartened by the events since that time.

4. It took the view that Israel had created a major problem by seeking to escape the first and most fundamental obligation of the peace process: acceptance of the road map itself. While the Government of Israel had expressed support for the steps contained in the road map, it had coupled that approval with 14 points, sometimes described as "reservations" and sometimes described as "understandings". The Palestinian side believed that those 14 points would hamper the smooth implementation of the road map itself.

5. The Sharm el-Sheikh summit between President Bush and Arab leaders and the Aqaba summit between President Bush and Prime Ministers Sharon and Abbas had been a sign of the United States administration's desire to pursue the road map. At Aqaba, the Israeli and Palestinian sides had been expected to make statements using the language specified in the road map itself. The Palestinian statement had been precisely in line with the requirements of the road map and had even gone beyond those requirements, in the hope of improving confidence on both sides. By contrast, the Israeli statement had fallen far short of the requirements of the road map by failing to declare an end to violence against Palestinians everywhere, failing to give a commitment to the vision of a sovereign Palestinian State and failing to declare an end to all settlement activity (it had referred only to unauthorized outposts). The perception of the Palestinian people was that the results of the Aqaba summit had been unbalanced and had not provided a good beginning for the implementation of the road map.

6. Another development, only a day after the Aqaba summit, had been all but ignored by the media, which tended to focus on what it viewed as Palestinian wrongdoing. Israeli forces had assassinated two Palestinians in a raid near Tulkarem. A cycle of violence by Palestinians, extrajudicial killings by Israel, Palestinian suicide bombings and more extrajudicial killings by Israel (resulting in civilian deaths) had followed.

7. Despite the situation, Palestinian efforts to pave the way for acceptance of a bilateral ceasefire between all Palestinian groups and Israel had continued. However, Palestinians had been left with the impression that extrajudicial killings and other attacks on Palestinian targets had become Israeli Government policy. A ceasefire was still achievable, but only if the Government of Mr. Sharon was sincere in pursuing the road map.

8. There had been some positive developments in the situation in the Middle East, however; Egypt had made efforts to move the peace process forward, a meeting of the Quartet Principals would take place in Amman on 22 June, and a visit by United States Secretary of State Colin Powell had been scheduled. The Quartet should be more active, since there had been little high-level activity recently, and there should be full and continuous involvement of all its members. The Quartet should also put an end to negative attitudes towards the President of the Palestinian Authority, who had been a de facto prisoner of the Israeli authorities for a year and a half. Such attitudes made it illogical and unreasonable to expect the Palestinians to take part in meaningful discussions for a ceasefire and would endanger the peace process. The Palestinian side felt that it had gone out of its way to fulfil its obligations by accepting the road map and by adopting the internal measures needed to implement it. The international community, and particularly the Quartet, had so far failed to exert enough pressure to obtain the same level of commitment from Israel.

9. There had also been some positive developments at the United Nations. The Secretariat's monthly briefing for the Security Council, given on 13 June 2003 by Mr. Prendergast, the Under-Secretary-General for Political Affairs, had been objective and fully in line with the Organization's established legal and political position, as well as being a reasonable response to the events and political situation on the ground. Although the Palestinian side had disagreed with some aspects of the briefing, it had regarded it as a considerable improvement over the previous briefing, given by Mr. Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

10. The Non-Aligned Movement summit held in Kuala Lumpur from 20 to 25 February 2003 had also lent support to Palestinians. A section of the Final Document and a separate statement on Palestine had proposed measures which would need to be followed up and implemented.

11. **Mr. Ragab** (Egypt) said that he wished to make some observations in reaction to the summary of the situation in the Middle East given by the Observer for Palestine. They were personal observations rather than reflecting the official position of his delegation.

12. Firstly, he agreed that the briefing given to the Security Council by the Under-Secretary-General for Political Affairs on 13 June had been balanced. It had indicated that the flagrant practices of the Israeli authorities on the ground could not be ignored; two thirds of it had been devoted to describing the humanitarian plight and dire economic situation of the Palestinians. Secondly, it was clear that Israel had been reluctant to accept the road map but had done so under pressure from the United States of America. Israel's reluctance had been rooted in the road map's path of "parallelism" rather than "sequentialism". There were already signs that the Government of Israel was abandoning the first approach in favour of the second. A sequential approach could not fail to further the interests of Israel at the expense of the interests of the Palestinians. Thirdly, the briefing's portrayal of the trigger for the cycle of violence following the Sharm el-Sheikh and Aqaba summits had been inaccurate. The first event it had reported was the killing of four Israel Defence Forces soldiers on 8 June, and it had interpreted that event as having provoked the Israeli attempt to assassinate Hamas member Mr. Rantisi two days later. In fact, the assassination of two Palestinians had predated the killing of the four Israeli soldiers.

13. On the day of the attack on Mr. Rantisi, a British Broadcasting Corporation documentary had commented that it was not clear what more the Palestinians could do, having accepted the road map and made positive statements at the Aqaba summit. Palestinians were exercising a right to resist an occupying force, a right enshrined in international law and the Charter of the United Nations. Action against soldiers in occupied territory fell into that category, and although the media often labelled resistance against such occupiers as terrorism, that label was inaccurate.

14. In another United Nations forum, during the informal consultations on the draft General Assembly resolution on the prevention of armed conflict, one paragraph — referring to the root causes of armed conflict, among them foreign occupation — had become a stumbling block. Some delegations were insisting that the term "occupation" should be replaced by the term "illegal acquisition of land". Yet such terminology would blur the issue of the basic entitlement to the land in question and would militate against time-honoured United Nations principles regarding independence and occupation. Its introduction should be resisted at all costs.

15. **Mr. Al-Kidwa** (Observer for Palestine) observed that the proposed new terminology was an attempt to change international law and international humanitarian law as commonly understood. It was not possible to address the question of armed conflict while ignoring an essential aspect, that of foreign occupation, which, no matter what its extent or duration, was invariably a factor. The fact that almost half of the instruments of humanitarian law dealt with the protection of civilians under foreign occupation testified to that. Also, a recent instance of the occupation of one nation by another constituted a fresh reminder. The issue went beyond that of the situation in the Middle East to the basic rules, values and international legal norms by which the United Nations was governed. Palestine was adamantly opposed to any attempt to tamper with them. His delegation hoped that as many delegations as possible would also oppose the proposed changes to the contested paragraph in the draft resolution on the prevention of armed conflict.

16. **The Chairman** said he was sure that all members of the Committee shared the views just expressed.

**Report by the Chairman on the United Nations International Meeting in Support of Middle East Peace, 13 and 14 May 2003, and Public Forum in Support of Middle East Peace, 15 May 2003, Kyiv**

17. **The Chairman** reported that a Committee delegation, consisting of himself, the Permanent Representatives of Cuba, Malta, Namibia and Ukraine and the Permanent Observer for Palestine and accompanied by the Under-Secretary-General for Political Affairs, representing the Secretary-General, had participated in the two meetings, which had been attended by representatives of 46 countries, Palestine and 2 intergovernmental and 13 non-governmental organizations, as well as members of the national and the foreign press and figures from the academic world, artistic and cultural circles and other segments of civil society.

18. The designated theme of the International Meeting had been "Promoting a comprehensive dialogue on the political, security and economic factors critical for resolving the current crisis and resuming the peace process". A number of conclusions and recommendations had been set out in the Final Document of the Meeting, which had subsequently been discussed at the Public Forum.

19. Reviewing the disquieting situation in the Occupied Palestinian Territory, including Jerusalem, the participants in the International Meeting had denounced Israel's building of a wall of separation and its expansion of settlements. In the face of the disastrous economic situation in Palestine, they had drawn attention to the Occupying Power's responsibilities under the Geneva Conventions and had called for a substantial mobilization of humanitarian aid.

20. Surveying the various recent bilateral and international initiatives, the participants had considered possible ways of overcoming the current impasse and relaunching the peace talks. Note had been taken of a few encouraging developments, such as the appointment and confirmation of a new Palestinian Prime Minister, the visit to the Middle East by the United States Secretary of State, and the road map put forward by the Quartet. The road map, calling for a negotiated settlement on the basis of a two State solution, had generally been well received by delegations, which had urged the Security Council to endorse it and demand its immediate implementation, with both sides making reciprocal parallel concessions. The offer by Ukraine to use its good offices to further negotiations between the parties on the implementation of the road map had been welcomed.

21. **Mr. Al-Kidwa** (Observer for Palestine) expressed appreciation for the fine manner in which Ukraine had hosted the two international gatherings and for its support for the Palestinian cause.

22. **Mr. Kulyk** (Ukraine) said that he believed the meetings had made a contribution to overcoming the impasse in the Middle East. It was particularly important that they had been held at that critical juncture, with full United Nations support. The International Meeting had, it should be noted, been the first to address the road map and to formally endorse it.

23. **The Chairman** said he took it that the Committee wished to take note of his report on the Kyiv meetings.

24. *It was so decided.*

**United Nations International Conference of Civil Society in Support of the Palestinian People, 4 and 5 September 2003, United Nations Headquarters**

25. **The Chairman** said he took it that the Committee wished to adopt the draft provisional programme for the forthcoming International Conference as set out in working paper No. 4, which had been circulated to members.

26. *It was so decided.*

*The meeting rose at 11:45 a.m.*